

**House File 372 - Introduced**

HOUSE FILE 372

BY GEHLBACH

(COMPANION TO SF 161 BY  
SINCLAIR)

**A BILL FOR**

1 An Act relating to the physical education and physical  
2 activities requirements that apply to students enrolled in  
3 school districts, accredited nonpublic schools, and charter  
4 schools.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 256.11, subsection 5, paragraph g,  
2 subparagraphs (1) and (2), Code 2023, are amended to read as  
3 follows:

4 (1) All students physically able shall be required to  
5 participate in physical education activities during each  
6 semester they are enrolled in school except as otherwise  
7 provided in this paragraph. A minimum of one-eighth unit each  
8 semester is required. A twelfth grade student who meets the  
9 requirements of this paragraph ~~may~~ shall be excused from the  
10 physical education requirement by the principal of the school  
11 in which the student is enrolled if the parent or guardian of  
12 the student requests in writing that the student be excused  
13 from the physical education requirement. A student who wishes  
14 to be excused from the physical education requirement must be  
15 seeking to be excused in order to enroll in academic courses  
16 not otherwise available to the student, or be enrolled or  
17 participating in one of the following:

18 (a) A work-based learning program or other educational  
19 program authorized by the school which requires the student to  
20 leave the school premises for specified periods of time during  
21 the school day.

22 (b) An organized and supervised athletic program which  
23 requires at least as much participation per week as one-eighth  
24 unit of physical education.

25 (c) Show choir, marching band, or color guard, if the  
26 student's participation per week in show choir, marching  
27 band, or color guard is at least equivalent to the per-week  
28 participation required for one-eighth unit of physical  
29 education.

30 (2) Students in grades nine through eleven may be excused  
31 from the physical education requirement in order to enroll in  
32 academic courses not otherwise available to the student ~~if the~~  
33 ~~board of directors of the school district in which the school~~  
34 ~~is located, or the authorities in charge of the school, if the~~  
35 ~~school is a nonpublic school, determine that students from~~

1 ~~the school may be permitted to be excused from the physical~~  
2 ~~education requirement.~~ A student ~~may~~ shall be excused from  
3 the physical education requirement by the principal of the  
4 school in which the student is enrolled, ~~in consultation with~~  
5 ~~the student's counselor,~~ for up to one semester, trimester,  
6 or the equivalent of a semester or trimester, per year if the  
7 parent or guardian of the student requests in writing that the  
8 student be excused from the physical education requirement.  
9 The student seeking to be excused from the physical education  
10 requirement must, at some time during the period for which the  
11 excuse is sought, be a participant in show choir, marching  
12 band, color guard, or an organized and supervised athletic  
13 program which requires at least as much time of participation  
14 per week as one-eighth unit of physical education.

15 Sec. 2. Section 256.11, subsection 6, paragraph b,  
16 subparagraph (2), Code 2023, is amended to read as follows:

17 (2) All physically able students in grades six through  
18 twelve shall be required to engage in a physical activity  
19 for a minimum of one hundred twenty minutes per week. A  
20 student participating in an organized and supervised athletic  
21 program, show choir, marching band, or color guard, or  
22 non-school-sponsored extracurricular activity which requires  
23 the student to participate in physical activity for a minimum  
24 of one hundred twenty minutes per week is exempt from the  
25 requirements of this subparagraph.

26 EXPLANATION

27 The inclusion of this explanation does not constitute agreement with  
28 the explanation's substance by the members of the general assembly.

29 This bill relates to the physical education and physical  
30 activities requirements that apply to students enrolled in  
31 school districts, accredited nonpublic schools, and charter  
32 schools.

33 Current law requires that all students enrolled in school  
34 districts, accredited nonpublic schools, and charter schools  
35 who are physically able are required to participate in a

1 minimum of one-eighth unit of physical education activities  
2 during each semester they are enrolled in school. Current law  
3 provides that a student enrolled in grade 12 may be excused  
4 from this requirement by the school principal if the student's  
5 parent or guardian requests that the student be excused from  
6 the requirement to take part in certain specified activities.  
7 The bill modifies this provision to provide that a student  
8 enrolled in grade 12 shall be excused from this requirement  
9 by the school principal if the student's parent or guardian  
10 requests that the student be excused from the requirement  
11 to take part in the activities, and the bill adds to the  
12 list of activities for which a student may be excused show  
13 choir, marching band, and color guard. The bill requires  
14 that the student's participation per week in show choir,  
15 marching band, or color guard be at least equivalent to the  
16 per-week participation required for one-eighth unit of physical  
17 education.

18 Current law provides that a student enrolled in grades 9  
19 through 11 may be excused from the requirement related to  
20 physical education activities by the principal of the school  
21 in which the student is enrolled, in consultation with the  
22 student's counselor, for up to one semester, trimester, or  
23 the equivalent, per year if the board of directors or the  
24 authorities in charge of the school determine that students  
25 from the school may be permitted to be excused from the  
26 physical education requirement and if the student's parent or  
27 guardian requests in writing that the student be excused from  
28 the physical education requirement. Current law requires that  
29 the student seeking to be excused from the physical education  
30 requirement must, at some time during the period for which  
31 the excuse is sought, be a participant in an organized and  
32 supervised athletic program which requires at least as much  
33 time of participation per week as one-eighth unit of physical  
34 education. The bill modifies this provision to provide that a  
35 student enrolled in grades 9 through 11 shall be excused from

1 the requirement related to physical education activities by  
2 the principal of the school in which the student is enrolled  
3 for up to one semester, trimester, or the equivalent, per year  
4 if the student's parent or guardian requests that the student  
5 be excused from the physical education requirement, and the  
6 bill adds to the list of activities for which a student may  
7 be excused show choir, marching band, and color guard. The  
8 bill requires that the student's participation per week in show  
9 choir, marching band, or color guard be at least equivalent  
10 to the per-week participation required for one-eighth unit of  
11 physical education.

12 The bill exempts from the physical activity requirements  
13 that apply to students enrolled in school districts, accredited  
14 nonpublic schools, and charter schools in grades 6 through 12  
15 students who are participating in show choir, marching band,  
16 or color guard.